



FEDERAL ELECTION COMMISSION
Washington, DC 20463

August 1, 2001

Stephen H. Malato, Esq.
Hinshaw & Culbertson
222 N. LaSalle Street, Suite 300
Chicago, IL 60601

RE: MUR 5167
George A. Moser
Charter National Bank and Trust
Northwest Bancorp
Eugene Ognibene

Dear Mr. Malato:

On February 2, 2001, the Federal Election Commission notified your clients of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against your clients. See attached narrative. Accordingly, the Commission closed its file in this matter on July 31, 2001.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Kim C. Stevenson on our toll-free number, (800)-424-9530. Our local number is (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff S. Jordan", is written over the typed name and title.

Jeff S. Jordan
Supervisory Attorney
Central Enforcement Docket

Attachment:
Narrative

21-04-405-1970

MUR 5167
CITIZENS FOR O'MALLEY

The complainant, Mr. Christopher Bollyn, alleges that the Citizens for O'Malley Committee ("Committee") received prohibited contributions from various national banks, over seven years ago, in violation of the FECA. The alleged activity in this matter occurred between September 26, 1989 and June 3, 1992.

The respondents, Citizens for O'Malley and William D. McLeod, treasurer; George Moser; Eugene Ognibene; Charter National Bank & Trust; and Northwest Bancorp noted in their response that at the time the contributions were made the particular banking institutions were operating under state charters and, therefore, did not fall under the jurisdiction of the Commission. Additionally, the respondents noted that the alleged violations were now beyond the statute of limitations period.

21-04-405-1971